

**Town of Shrewsbury - Board of Selectmen
Richard D. Carney Municipal Office Building-Selectmen's Meeting Room
100 Maple Avenue
Monday, October 20, 2003 at 7:00 PM**

Minutes

Present:

Bruce Card, Maurice DePalo, Thomas Fiore, Philip Hammond, John Lebeaux, and Daniel Morgado, Town Manager. Mr. Fiore called the meeting to order at 7:03pm.

Preliminaries:

1. Approve bills, payrolls and warrants #0429 in the amount of \$1,450,581.48, #0430 in the amount of \$1,957,293.62, #0431 in the amount of \$279,729.30 and #0432 in the amount of \$1,792,225.55.
2. Approve Minutes of October 6, 2003. Motion made, seconded and unanimously voted to approve.
3. Announcements – Mr. Lebeaux announced that the Shrewsbury High School Crew competed in the New Hampshire Championships where the combined men's and women's crew took cups. The last meet of the season takes place this Sunday on Lake Quinsigamond for the Mass. Public School Championships.
4. Town Manager's Report - Nothing other than what is on the Agenda.

Meetings:

Public Hearings:

5. 7:05pm – Hickey's Town Liquors, 40A Maple Avenue, Transfer of Stock for their All Alcohol Package Store License. Kevin Hickey, manager of Hickey's Town Liquors, was present. Mr. Fiore advised that reports from all department heads were favorable. Mr. Hickey explained that the stock transfer was between his mother and himself due to the death of his father. Both are stockholders in the company. As there were no questions from the Board, Mr. Fiore opened the hearing to the public. No public comment was forthcoming. Motion was made, seconded and unanimously voted to close the hearing. Motion was made to approve the transfer of stock and whatever changes required for the All Alcohol Package Store License held by Hickey Town Liquors. Motion was seconded and unanimously approved.
6. 7:15pm – McDonald's Restaurant, 31 Boston Turnpike, new Operations Manager – Daniel Hurley for their Common Victualler's License. Mr. Hurley was present and explained to the Board that he worked for the McDonald's Corp. for over 30 years and recently had acquired several McDonald franchises in this area. Mr. Fiore advised that department heads had no issues but that ZBA restrictions of 2001 would apply. He opened the hearing to the public and as there was no comment, motion was made, seconded and unanimously voted to close the hearing. Motion was made to approve the application for a Common Victualler's License for McDonald's Restaurant, Daniel Hurley, Operations Manager, 31 Boston Turnpike. Everything to remain the same, only changes are the management and ownership of the restaurant. ZBA restrictions of 1995 and 2001 to apply. Motion was seconded and unanimously approved.

Executive Session:

- 6a. 7:30pm – T. Philip Leader, Town Counsel - Value of real property. Motion was made, seconded, and unanimously voted to adjourn into executive session at 7:42pm and to reconvene for the purpose of discussing value of real property. The Board was polled, Mr. Hammond, yes, Mr. DePalo, Mr. Lebeaux, yes, Mr. Card, yes, and Mr. Fiore, yes.

Old Business:

7. Settlers Road, Northborough – Water Connection. Mr. Lebeaux said the last discussion on this matter had taken place on September 8th at which time the Board approved the connection but deferred the decision on rates until a later meeting. At the time that approval was given the Board was under the impression that the home was not livable without a connection to the Shrewsbury water system.

Since then a report has been received advising that there is a well on the property with sufficient pressure and quantity to allow the home to be occupied but the water would require some improvement. Therefore, Mr. Lebeaux recommended that owners of this home, the Catalina family, be charged double the normal residential rate for water and that well water be used for irrigation. There is one other non-residential water user in the town and they are charged double for water usage. Mr. Hammond, Mr. DePalo and Mr. Card concurred. Mr. Card added that the Board should make a determination on a policy for future requests like this one. Mr. Fiore agreed that the Board did not have all the facts and that a policy on future requests should be formulated. However, he said that the Board is also at fault for not doing due diligence in researching the background of this request. After a discussion, motion was made to set the water rate for 21 Settlers Road at double the Shrewsbury rate. Policy to be made to set guidelines in dealing with future requests of this type. Motion was seconded and approved with four in favor and Mr. Fiore opposed.

New Business:

8. Struck Catering, 130 Hamilton Street, Worcester. One Day All Alcohol License for Event at Hoagland Pincus Conference Center, 222 Maple Avenue, Thursday, November 6, 2002 from 5:00pm-10:00pm. Motion was made to approve to application of Struck Catering for a One Day All Alcohol License. Motion was seconded and approved with four in favor and Mr. Card abstaining.

Executive Session:

9. Pending Litigation.

Communications:

10. Noted copy mailed: Letter from Corridor Nine Chamber of Commerce re formation of a new Business Development Sub-Committee. Follow up and take up at future meeting.
11. Noted copy mailed: Letter from Isabelle Chang to Library Trustees re space needs.
12. Noted copy mailed: Fax from Clean Water Action/Clean Water Fund.
13. Noted copy mailed: E-mail from T. Rooney re Sales of Alcohol.
14. Noted copy mailed: Letter from Mass. Dept. of Revenue re tax rate approval process.
15. Noted copy mailed: Notice from Loitherstein Environmental re Availability of Phase IV-Remedy Implementation Plan Modification for 32 Maple Avenue.
16. Noted copy mailed: Invitation to Legislative Breakfast at WBDC. Board to advise if they can attend
17. Noted copy mailed: ZBA Hearing Agenda, 10/28/03.
18. Noted copy mailed: ZBA Hearing Minutes, 8/26/03, Gary Cunningham/Sunshine Sign Co., 730 Boston Turnpike.
19. Noted copy mailed: COA Board Meeting Minutes, 8/13/03, 9/10/03.
20. Noted copy mailed: Westborough Treatment Board Meeting Minutes, 9/24/03.
21. Noted copy mailed: School Committee Meeting Agenda. 10/15/03.
22. Noted copy mailed: Mass. Dept. of Revenue Bulletins: 2003-19B-Deferral of Part of Pension Cost in FY04 & FY05 & 2003-20B-Tax Rate Recapitulation Details re Premiums on Bonds or Notes under Proposition 2 ½.
23. Noted copy mailed: Letter from Alden Harris, II resigned from the Shrewsbury Development Corp. due to his appointment to the School Committee. Board to review resumes and letters of those who have expressed interest in serving on Town committees. Will review as New Business on November 3rd.
24. Noted copy mailed: Notice of MBTA Advisory Board Hearing on the Fare Increase.
25. Noted copy mailed: Reappoint Donald Gray to the Scholarship Committee for a term of three years expiring on October 31, 2006. Motion was made to reappoint Donald Gray to the Scholarship Committee for a term of three years expiring on 10/31/06.
26. Noted copy mailed: Notice of Addendum to Class A-3 RAO Statement/Post Audit Completion Statement for 23 Maple Avenue from The Tyree Organization, Ltd.
27. Noted copy mailed: School Committee Meeting Minutes, 9/17/03 & 10/1/03.
28. Noted copy mailed: Letter from Nat. Organization on Disability re membership. No interest on part of Board. Forward to Commission on Disabilities FYI.
29. Noted copy mailed: ZBA Hearing Minutes, 9/30/03, Joseph Cummins, 115 Lakeside Drive.

30. Noted copy mailed: ZBA Hearing Minutes, 9/30/03, Christopher & Margaret Bradley, 35 Rockwell Drive.
31. Noted copy mailed: ZBA Hearing Minutes, 9/30/03, Steven & AnneMarie Bird, 8 Sandpiper Drive.
32. Noted copy mailed: ZBA Hearing Minutes, 9/30/03, Mary Garrity, 27 Waterville Lane.

The Selectmen also decided to invite all former selectmen; the three longest serving town meeting members and Mr. Carney to the November 3rd meeting to commemorate the 50th Anniversary of the Selectmen-Town Manager Act.

Motion was made, seconded, and unanimously voted to adjourn at 8:28pm.

Respectfully submitted,

Janice C. McCoy
Secretary